

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ELIZABETH MCCRAY,

Plaintiff,

v.

CHRYSLER LLC,

Defendant.

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No. 4:09-CV-572 CAS

**MEMORANDUM AND ORDER**

This matter is before the Court upon the application of plaintiff to commence this action without payment of the required filing fee. Upon consideration of the financial information provided with the application, the undersigned finds that the applicant is financially unable to pay any portion of the filing fee, and the Court will grant plaintiff leave to proceed in forma pauperis.

After a review of the complaint and the corresponding documentation, however, the Court will not order the Clerk to issue process at this time. The Court notes that although plaintiff has submitted her Title VII action on this district's form complaint for employment discrimination claims, she has not attached a copy of her right to sue letter. In fact, plaintiff has indicated in her complaint that she has not received a right to sue letter from the Equal Employment Opportunity Commission ("EEOC"). Because obtaining a notice of right to sue letter from the EEOC is a prerequisite to maintaining a Title VII complaint, the Court will order plaintiff to either file a copy of her right to sue letter or provide the Court with an explanation as to why she is not in possession of this administrative document. See, e.g., 42 U.S.C. § 2000e-5(f)(1) (in order to maintain a Title VII claim, an aggrieved employee is required to file suit within ninety (90) days after receipt of a notice of right to sue letter).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for leave to proceed in forma pauperis is **GRANTED**. [Doc. 2]

**IT IS FURTHER ORDERED** that the Clerk shall not issue process or cause process to be issued upon the complaint at this time.

**IT IS FURTHER ORDERED** that within thirty (30) days from the date of this Order, plaintiff shall submit to the Court a copy of her notice of right to sue or provide the Court with an explanation as to why she is not in possession of a right to sue letter. If plaintiff fails to submit a copy of her right to sue letter or provide an explanation within thirty (30) days from the date of this Order, the action will be dismissed, without prejudice, pursuant to Fed.R.Civ.P. 41(b).

A handwritten signature in cursive script, reading "Charles A. Shaw", written in black ink.

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**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 7th day of May 2009.